

REMARKS

These remarks and the accompanying amendments are responsive to the Office Action mailed September 22, 2004, having a shortened statutory period for response that expired on December 22, 2004. A petition and fee for a two-month extension of time accompany this response thereby extending the period for response until today, February 22, 2005. Claims 1-10 were pending at the time of the last examination. By this amendment, Claims 1-10 are cancelled, and Claims 11-16 are new. Accordingly, upon entry of this amendment, Claims 11-16 will be pending for further consideration by the examiner.

Section 2 of the Office Action indicates that the Examiner cannot locate the certified copy of the patent application. Attached in the Appendix is a true and correct copy of the certified copy (along with the transmittal sheet) as previously submitted to the United States Patent and Trademark Office. Should a second certified copy be required, please contact the undersigned.

All rejections are rendered moot by the cancellation of Claims 1-10. Nevertheless, the various differences between the new Claims 11-16 and the cited art of record will now be explained.

Summary of Weaver

European patent publication number EP 0715423 (hereinafter referred to as "Weaver") discloses a mobile cellular telecommunication system power control loop for symbol error rate detection. In Figs. 1 through 3, a power output level of a mobile station 128 is adjusted for a symbol error rate. The symbol error rate of a received signal is compared with a target rate of the symbol error rate to decide the target SIR, and the transmission power in the mobile station

128 is controlled so that the SIR of the received signal reaches the target SIR (see e.g., Weaver, from Column 4, line 24 to Column 5, line 42).

Summary of Dohi

European patent publication number EP 0852393 (hereinafter referred to as "Dohi") discloses transmission power control in which FER is measured to change a target value of received SIR. In Fig.2, an error rate of a received signal is measured by a received signal error rate measuring unit 32, and a target SIR is changed by the error rate in a target SIR decision unit 12. Received SIR (as a measured value from a SIR measuring unit 6) is compared in a comparator 7 with the target SIR from the target SIR decision unit 12. Thus, when the received SIR is smaller/greater than the target SIR, a control bit for an increase/decrease of transmission power is generated from a transmission power control bit decision unit 13.

Formal Arguments

Claims 11 and 14 as newly presented here recites that, a received "reception error rate [is compared] with a predetermined upper limit target reception rate and a predetermined lower limit target reception error rate". Thus, the amount of correction of a target reception error rate is changed based on the compared result. That is, the comparison of the received reception error rate is performed by using at least two limitation levels including the upper / lower limit target reception error rates.

In other words, the target reception error rate (i.e. a ratio value of the target received signal power value to the interference power, or a target reception power value) is not corrected when the detected reception error rate is within the upper limit and the lower limit indicating the allowed limitation level.

In contrast, the target reception error rate is corrected when the detected reception error rate is beyond the upper limit or the lower limit indicating the allowed limitation level. However, Weaver Dohi not describe this above-mentioned feature of Claims 11 and 12 including the steps of (and means for) comparing and correcting.

That is, Weaver and Dohi do not disclose a technique in which the target reception error rate is altered when the detected reception error rate is only beyond a predetermined allowed limitation region (e.g., when a rapid change in propagation environment has only occurred).

Claims 12 and 15 as newly presented recites that two steps of (or means for) correcting are performed at a higher hierarchy station as well as a lower base station. That is, a target reception error rate is corrected at the higher hierarchy station, and a measured reception error rate is compared with the corrected target reception error rate at the lower base station and thus a target SIR is corrected based on the comparison.

Weaver teaches a correcting technique in which the SIR of the received signal is corrected based on the compared symbol error rate. Dohi teaches a correcting technique that the target SIR is corrected based on the error rate. However, Weaver and Dohi (even if combined) do not teach the above mentioned feature of claim 2 of the present invention including the two steps of (or means for) correcting. That is, Weaver Dohi do not disclose a technique for correcting the reception error rate itself in which the target reception error rate is corrected after measuring a synthesized reception error rate at the higher hierarchy station.

Therefore, independent Claims 11, 12, 14 and 15 are not anticipated by either of Weaver or Dohi (either singly or in combination). Claims 13 and 16 are patentable over the cited art for at least the reasons that their corresponding independent claim is patentable over the cited art. Therefore, favorable action is respectfully requested. In the event that the Examiner finds

remaining impediment to a prompt allowance of this application that may be clarified through a telephone interview, the Examiner is requested to contact the undersigned attorney.

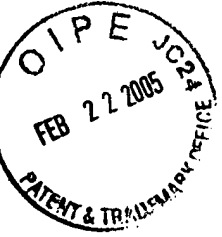
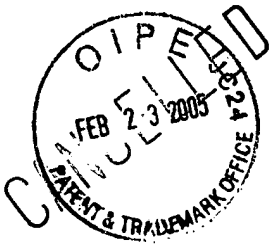
Dated this 22nd day of February, 2005.

Respectfully submitted,



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AJL:ds
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APPENDIX